G. R. S. 58
Previous references.

File No. 309-10

1910.-11

Serial Nos. 1-2

(Gen. Dis)

Later references.

cb 300-10-(1-27 7. Judgment.

B. Dec 13 & 14 5.9.7 173-12

P:11.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B. for March 1911

SUBJECT.

Re: renewal of the decree against Davood Sab, Brass & copper, merchant, Mysore.

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1. From the D.C. Mysore Dt.
No. 429. d. 30.1.11
Soliciting approval of Govt to his action in getting a renewal of decree into an instalment decree against Davood Sab, merchant Mysore.

2. To the D.C. Mysore District
No. 2e-4889 d. 18/3/11

GPB .8,000—7-4-07

accords sanction to the course suggested by the Public Prosecutor.

GENERAL AND REVENUE SECRETARIAT.

(G.7.)

NOTES.

File No. 309-10.

FILE HEADING.

Renewal of the decree against Davood Sab.

From

The Deputy Commissioner, Mysore Dt-

No. 429 Dated 30-1-1911 Received

Diary No. 3109.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

Soliciting approval of Govt- to his action in getting a renewal of decree into an instalment decree against Davood Sab, Brass and Copperware merchant- Mysore.

NOTES AND ORDERS.

Receipts from Routine note

x x x x x x x

1. Br- III to state whether the proposed change is legal

Sd/- J. L. N. R
9-2-1911.

2. The course suggested is covered by section 210 of the Code of Civil Procedure

Sd/- H. S. S-122.

NOTES—First sheet. S.N.

GPB.—30,000—20-3-06.

G. R. S. 12]
General and Revenue Secretariat.

G7 File No. 309 of 1910

Serial No.

3 There seems to be no objection to taking action under sec 210 of the C. P. C. The Govt Advocate may also be consulted.

Intg. S. H
10/2/11

4 Subd May the opinion of the Govt advocate be invited?

N. 36 —
24/2/11 Initials 5 forwarded to the Govt Advocate for favour of opinion on the course suggested — by order
No 7682 / 22-2-1910
21.2.11 Asst Secy/Govt

6 The course suggested by the public prosecutor is perfectly legal. It may be approved & adopted.

A. Narayana Rao
Govt adv.
25. 2. 1911

N. 36
1/3/11

7 Submitted with a draft for orders.

Draft approved by the Dewan
1/3/11 Dewan

10395 / 3.3.11 8

Draft approved by the Dewan

4.3.11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

97 File No. 309 of 1910

Serial No.	
2	To the Dy. Comr. Hoshiarpur, D.O. No. H 4889 g 18.3.11 Accords sanction to the course suggested by the Public Prosecutor

NOTE— Contn. sheet.

GPB—50,000—12-8-10

1910 C.F. 309-10 & 3109

From M Kantaraj Urs Esq., B.A
Deputy Commissioner,
Mysore District.

To C. S. Balasundaram'ar Esq., B.A.
Offg. Secy. to Govt. of Mysore,
Gen. & Rev. Depts.

Dated 30th January 1911

Despatched 31st

Received

General No. 429
No.

Enclosure No. /

Requesting approval of the action taken in the matter of filing the execution petition against Dawood Sab Brass and Copperware merchant, Mysore

GBPM—21-9-1910—1,000.

2

No.
Enc. No.

OFFICE OF THE Deputy Commissioner
MYSORE DISTRICT,

Dated Mysore Camp 30th January 1911

FROM M. Kantaraj Urs Esq., B.A
DEPUTY COMMISSIONER, MYSORE DISTRICT.

To C.S. Balasundaram Esq., B.A.
Offg. SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

SIR,

I have the honor to state that Government in their Proceedings no. 7508-10/G. 1814 dated 11-11-1894 sanctioned a loan of Rs 7000/- to Dawood Sab Brass and Copperware merchant, Mysore. The Loan Lobeer having failed to pay up the debts a suit was filed against him and a decree against the defendant Dawood Sab for Rs 8199-7-6 with costs and interest at 4½% was obtained. On his application to Government

thereof

they were pleased to order, in Government Order no. PC. 3609-10-Gen. dis 141-05-2 dated 7-12-1905, the recovery of the decretal amount plus current interest by monthly instalments of Rs 80/- and the individual has been paying it to the Mysore District Treasury. As 3 years ~~from the~~ date of the last application for execution will expire in April 1911, I requested the Public Prosecutor to take necessary steps to renew the application in view of keeping the decree alive.

He now suggests to have the original decree converted into an instalment decree making the judgment debtor liable to pay 80/- a month towards interest and principal due under the decree

As

As this suggestion seemed reasonable I have requested the Public Prosecutor to take necessary steps in the matter, and also to file an execution application in the Sub Judge's Court before the expiration of the period of three years since the date of the last application.

I, therefore, beg to submit that the steps taken by me in the matter may be approved.

A copy of letter no. 146 dated 23rd January 1911 received from the Public Prosecutor is herewith submitted for perusal.

I have the honor to be
Sir
Your most obedient Servant

S. Nanjundaiah
for Deputy Commissioner
Mysore District.

From

The Public Prosecutor, Mysore

To

The Deputy Commissioner, Mysore District.

No. 146 Dated 23rd January 1911.

Sir,

Your letter no: 4058 dated 7th January 1911

To save the execution of the decree becoming timebarred it is necessary to file an execution petition for the amount still due under the decree. This will have to be done before three years elapse from the date of the presentation of the last application for execution. After the decree was passed in O.S. 8 of 1904-05 the judgment-debtor has been given time to pay up the decree amount. This ought to have been done with the sanction of the Court which passed the decree under Section 257A of the Code of Civil Procedure.

In my opinion, it will be convenient to all parties to have the original decree converted into an instalment decree, this judgment debtor becoming liable

liable to pay Rs 80/- per month towards the interest and principal due under the decree. This can be done by the judgment-debtor presenting a petition praying for the conversion of the decree to Court after he is served with notice of the execution petition that will be filed by you and by your consenting to have the decree altered. The judgment debtor may be sent for and directed to do as above set forth.

If the correct amount due under the decree and the amount that has been realised till the date of our presenting the proposed execution petition are intimated to me, I shall draw up an execution petition and forward it for your signature and return.

I have etc

Sd. B. Krishnamachar

Public Prosecutor.

"Copy"

Sd Illegible

for Deputy Commissioner

Tumkur District

1V

G.R.S. 28.]

6/3/11

Clear draft 97 File No 309-
Serial No

Diary No. of letter replied to 3109

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
( )

, *the* 19

Date of issue 18-3-11

Signed by W L Nursimha Rao

READ--

Letter No 429 dy 30-1-1911 from the Dy. Mysore Dr praying for instructions w reference to G.O.No. $\frac{\text{R } 3609\text{-}10}{97\,141\text{-}05\text{-}2}$ dy 7-12-1905 directing t recovery of the decree amount from the Mahmad Dawood Sab, Brass & Copper ware merchan

~~ORDER NEEDED.~~ No.

Mysore in monthly instalment of Rs 80, whether since Dawood Sab has been regularly paying the instalments and the 3 years from the date of the last applica for execution of the decree will expire

over

SUBJECT.

GPB—10,000—19-4-10

Dec 7/11

April 1911 he may take the
necessary steps as advised by
Public Prosecutor to have the
original decree converted into an
instalment decree.

Order thereon No 70418897
dy 18-3-1911
Govt accord sanction
to the course suggested by the
Public Prosecutor which may be
adopted

for

for Secretary

To The Dy Com. Mysore Dr.

M-36
2/3.